

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DAVID O. RUCKER, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:09CV670 CDP
)	
US FIDELIS, INC., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER TO SHOW CAUSE

This matter is before me on the motion to withdraw filed by counsel for defendants Darain Atkinson and US Fidelis, Inc. The motion for Ryan Kriegshauser to withdraw from this case because he is leaving the law firm of Graves Bartle Marcus & Garrett, LLC, will be granted. However, the motion for Graves Bartle Marcus & Garrett, LLC, to withdraw as counsel of record for defendants Darain Atkinson and US Fidelis, Inc. will be denied without prejudice at this time. On November 30, 2010, I ordered counsel for plaintiffs and Cory Atkinson to file a joint memorandum advising the Court of the status of the bankruptcy proceedings and this case, which has been stayed since April pending rulings in the bankruptcy court. Plaintiffs and Cory Atkinson have failed to comply with my Order, and their time for doing so has expired.


Accordingly,

IT IS HEREBY ORDERED that defendants' motion for Ryan Kriegshauser to withdraw [#58] is granted.

IT IS FURTHER ORDERED that the motion for Graves Bartle Marcus & Garrett, LLC, to withdraw as counsel of record for defendants Darain Atkinson and US Fidelis, Inc. [#45] is denied without prejudice at this time.

IT IS FURTHER ORDERED that counsel for plaintiffs and Cory Atkinson shall show cause in writing within ten (10) days of the date of this Order why they should not be sanctioned for failing to comply with this Court's November 30, 2010 Order.

IT IS FURTHER ORDERED that all parties shall file a joint memorandum advising the Court of the status of the bankruptcy proceedings and this case, including whether, and to what extent, this case will proceed, as well as a proposal for its resolution within ten (10) days of the date of this Order.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of January, 2011.